

IDAHO BOARD OF OPTOMETRY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 11/25/2019

BOARD MEMBERS PRESENT: Aaron J Warner, O.D. - Chair
Lance W Fagan, O.D.
Terri L Haley, O.D.
William Von Tagen
Jared Walker, O.D.

BUREAU STAFF: Kelley Packer, Bureau Chief
Julie Eavenson, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Nicholas Crema, General Counsel
Rob McQuade, Legal Counsel
Cesley Metcalfe, Board Specialist
Roam Yocham, Board Specialist

OTHERS PRESENT: Kris Ellis, Idaho Optometric Physicians

The meeting was called to order at 9:30 AM MST by Aaron J Warner, OD.

INTRODUCTIONS

Dr. Walker was introduced as a new Board member.

APPROVAL OF MINUTES

Dr. Haley made a motion to approve the minutes of July 24, 2019, August 6, 2019, and August 19, 2019. It was seconded by Dr. Fagan. Motion carried.

[INVESTIGATIVE REPORT](#)

Ms. Peel gave the investigative report, which is linked above.

EXECUTIVE SESSION

Dr. Fagan made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Dr. Haley. The vote was: Dr. Warner, aye; Dr. Fagan, aye; Dr. Haley, aye; Mr. von Tagen, aye; and Dr. Walker, aye. Motion carried.

Dr. Haley made a motion to come out of executive session. It was seconded by Dr. Walker. Motion carried.

FOR BOARD DETERMINATION

Dr. Fagan made a motion to approve the Bureau's recommendation and authorize closure in case number I-OPT-2020-1. It was seconded by Dr. Haley. Motion carried.

LAWS AND RULES

Mr. McQuade stated that the proposed legislation was submitted by the August deadline and approved by the Governor to move forward. Bureau staff has been meeting with legislators across the state to give a preview of the legislation prior to the start of the session. Ms. Packer stated that because of the Governor's approval and the outreach that has already been done on behalf of the Board's submitted legislation, only grammatical or technical changes are advised at this point. Mr. McQuade then reviewed with the Board recently received correspondence that suggested additional changes to the Board's rewrite of its Act. The Board authorized five grammatical or technical changes.

Ms. Packer informed the Board that Representative Blanksma will carry the bill in the House and Senator Heider will carry the bill in the Senate. Ms. Packer stated that the Board of Medicine recently voted to remain neutral regarding the Board's legislation.

DISCUSSION ON LIVE CONTINUING EDUCATION

The Board discussed the attendance tracking and control mechanisms for multiple delivery methods of continuing education. The Board directed Bureau staff to leave this item on the To Do List for discussion when the Board reviews its administrative rules next year.

FINANCIAL REPORT

Ms. Eavenson gave the financial report, which indicated that the Board had a cash balance of \$79,115.68 as of October 31, 2019.

OLD BUSINESS

The Board reviewed the To Do List. Mr. von Tagen made a motion directing the Bureau to add a question on the audit form about Optometric Education (OE) Tracker, and to add the task to the To Do List for tracking. It was seconded by Dr. Haley. Motion carried.

NEW BUSINESS

PUBLIC COMMENT

Kris Ellis from the Idaho Optometric Physicians stated that she will continue to assist with legislation. Ms. Ellis further stated that she is actively trying to meet with all the legislators regarding the rewrite of the Optometry Act. Ms. Ellis also stated that she still anticipates opposition from the ophthalmologists.

The Board was reminded that any letters that are addressed to the Board but are received by a single Board member should be sent to the Bureau for review by the entire Board.

ASSOCIATION OF REGULATORY BOARDS OF OPTOMETRY (ARBO) UPDATES

Dr. Haley presented an update from the ARBO committees on which she serves. She stated that, effective January 2, 2020, optometrists will no longer be able to obtain continuing education certificates of completion free of charge from the Optometric Education (OE) Tracker website. Dr. Haley further stated that all Council on Optometric Practitioner Education (COPE) courses must not only have the curriculum approved, but also the location. She will obtain additional information on this. Dr. Haley also reminded the Board that it was recommended at the Association of Regulatory Boards of Optometry (ARBO) annual meeting that politicians be invited to all Board meetings and receive a copy of the minutes after the meeting if they were unable to attend. Ms. Eavenson explained the outreach meetings that are held annually with legislators across the state.

CORRESPONDENCE

The Board reviewed correspondence from Kris Ellis regarding the idea of adding a volunteer license provision to its statute. After discussion, the Board agreed that Dr. Warner will investigate further to determine the level of need for a volunteer license.

The Board reviewed correspondence from Dr. Hilliard Griggs, Jr. regarding whether non-sutured amniotic membranes to the eyes is considered to be within the scope of practice of optometrists in the state of Idaho. Dr. Fagan made a motion directing Bureau staff to draft a response that will be reviewed in a future conference call. It was seconded by Dr. Haley. Motion carried.

NEXT MEETING was scheduled for February 24, 2020 at 9:30 AM MST.

ADJOURNMENT

Dr. Haley made a motion to adjourn the meeting at 12:02 PM MST. It was seconded by Dr. Walker. Motion carried.

Aaron J Warner, O.D., Chair

Lance W Fagan, O.D.

Terri L Haley, O.D.

William von Tagen

Jared Walker, O.D.

Kelley Packer, Bureau Chief